

COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**Amendment of List of CITES Species**

I, Ian Cresswell, Assistant Secretary, Wildlife Trade and Sustainable Fisheries Branch, pursuant to paragraphs 303CA(9)(b) and (c) of the *Environment Protection and Biodiversity Conservation Act 1999*, hereby amend the list of CITES species established under subsection 303CA(1) of that Act, as set out in Schedule 1 to this instrument.

The amendments to Appendix III will take effect on 17 February 2005, and all other amendments will take effect on date of publication in the Gazette, or on 12 January 2005, whichever is the later.

Dated this **20th** day of **December** 2004

**Ian Cresswell**

Assistant Secretary

## Add to Appendix III – Fauna

<b>Taxon</b>	<b>Common name</b>	<b>Appendix</b>	<b>Notation</b>	<b>First listed</b>
<i>Chinemys megalcephala</i>	Chinese Pond Turtle, Chinese broad-headed Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Chinemys nigricans</i>	Red-necked Pond Turtle, Kwangtung River Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Chinemys reevesii</i>	Reeve's Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Geoemyda spengleri</i>	Black-breasted Leaf Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Mauremys iversoni</i>	Iverson's Pond Turtle, Fujian Pond Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Mauremys pritchardi</i>	Pritchard's Pond Turtle, Lashio Pond Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Ocadia glyphistoma</i>	Guangxi Stripe-necked Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Ocadia philippeni</i>	Philippen's Stripe- necked Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Ocadia sinensis</i>	Chinese Stripe-necked Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Sacalia bealei</i>	Beal's Eyed Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Sacalia pseudocellata</i>	False-eyed Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Sacalia quadriocellata</i>	Four-eyed Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Palea steindachneri</i>	Wattle-necked Softshell Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Pelodiscus axenaria</i>	Chinese Softshell Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Pelodiscus maackii</i>	Chinese Softshell Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Pelodiscus parviformis</i>	Chinese Softshell Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Pelodiscus sinensis</i>	Chinese Softshell Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05
<i>Rafetus swinhoei</i>	Shanghai Softshell Turtle	III	Only specimens from China are listed under the Convention.	17 Feb 05

## Add to Appendix II – Fauna

Taxon	Common name	Appendix	Notation	First listed
<i>Malayemys subtrijuga</i>	Malayan Snail-eating Turtle	II		12 Jan 05
<i>Notochelys platynota</i>	Malayan Flat-shelled Turtle	II		12 Jan 05
<i>Amyda cartilaginea</i>	Asiatic Softshell Turtle	II		12 Jan 05
<i>Carettochelys insculpta</i>	Pig-nosed Turtle, Fly River Turtle	II		12 Jan 05
<i>Chelodina mccordi</i>	Roti Island Snake-necked Turtle, McCord's Snake-necked Turtle	II		12 Jan 05

<i>Uroplatus</i> spp.	leaf-tailed geckos	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Uroplatus</i> are listed under the Convention.	12 Jan 05
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<i>Carcharodon carcharias</i>	Great White Shark	II	Please see below for populations with an earlier date of first listing.	12 Jan 05
<i>Carcharodon carcharias</i>	Great White Shark	II	Specimens from Australia were listed under the Convention on this date>>> All other specimens were listed on 12 Jan 05.	10 Aug 01

<i>Cheilinus undulatus</i>	Humphead wrasse	II		12 Jan 05
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<i>Lithophaga lithophaga</i>	sea mussel	II		12 Jan 05
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## Add to Appendix II – Flora

Taxon	Common name	Appendix	Notation	First listed
<i>Hoodia</i> spp.	Ghaap, Bitter Ghaap	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Hoodia</i> are listed under the Convention. Listing includes all parts and derivatives except those bearing a label 'Produced from <i>Hoodia</i> spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of Botswana/Namibia/South Africa under agreement no. BW/NA/ZA xxxxxx”.	12 Jan 05
<i>Taxus chinensis</i>	Chinese Yew	II	Listing includes all infraspecific taxa of this species and includes all parts and derivatives except:	12 Jan 05

Taxon	Common name	Appendix	Notation	First listed
			a) seeds and pollen; and b) finished pharmaceutical products. Whole artificially propagated plants in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the Convention.	
<i>Taxus cuspidata</i>	Japanese Yew	II	Listing includes all infraspecific taxa of this species and includes all parts and derivatives except: a) seeds and pollen; and b) finished pharmaceutical products. Whole artificially propagated plants in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the Convention.	12 Jan 05
<i>Taxus fuana</i>	chinese yew	II	Listing includes all infraspecific taxa of this species and includes all parts and derivatives except: a) seeds and pollen; and b) finished pharmaceutical products. Whole artificially propagated plants in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the Convention.	12 Jan 05
<i>Taxus sumatrana</i>	Sumatran Yew	II	Listing includes all infraspecific taxa of this species and includes all parts and derivatives except: a) seeds and pollen; and b) finished pharmaceutical products.	12 Jan 05
<i>Aquilaria</i> spp.	Agarwood, Gaharu	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Aquilaria</i> are listed under the Convention. Please see below for species with earlier date of first listing.	12 Jan 05

<b>Taxon</b>	<b>Common name</b>	<b>Appendix</b>	<b>Notation</b>	<b>First listed</b>
<i>Gonystylus</i> spp.	Ramin	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Gonystylus</i> are listed under the Convention.	12 Jan 05
<i>Gonystylus</i> spp.	Ramin	II	Specimens from Indonesia were listed under the Convention on this date>>> All other specimens were listed on 12 Jan 05.	6 Aug 01
<i>Gyrinops</i> spp.	Agarwood	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Gyrinops</i> are listed under the Convention.	12 Jan 05

### Delete from Appendix II – Fauna

<b>Taxon</b>	<b>Common name</b>	<b>Appendix</b>	<b>Notation</b>	<b>First listed</b>
<i>Agapomis roseicollis</i>	Peach-faced Lovebird			
Psittaciformes spp.	Parrots and their allies	II	The entire order is listed. This means that all parrots and their allies are listed under the Convention (except for <i>Melopsittacus undulatus</i> (Budgerigar) <i>Nymphicus hollandicus</i> (Cockatiel) and <i>Agapomis roseicollis</i> (Peach-faced Lovebird). Please see below for families, species and subspecies included in a different Appendix and/or with an earlier date of first listing.	6 Jun 81

## Transfer from Appendix I to Appendix II – Fauna

Taxon	Common name	Appendix	Notation	First listed
<i>Ceratotherium simum simum</i>	Southern White Rhinoceros	II	Populations of Swaziland only; for the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations, and in hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.	1 Jul 75

<i>Haliaeetus leucocephalus</i>	Bald Eagle	II		4 Feb 77
<i>Haliaeetus</i> spp.	Sea-eagles, fish-eagles	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Haliaeetus</i> are listed under the Convention. Please see below for species and subspecies included in a different Appendix and/or with an earlier date of first listing.	4 Feb 77

<i>Crocodylus acutus</i>	American Crocodile	II	Only specimens from Cuba are listed on Appendix II to the Convention. Please see above <i>Crocodylus acutus</i> listing for all other populations.	1 Jul 75
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<i>Crocodylus niloticus</i>	Nile Crocodile	II	Only specimens from Botswana, Ethiopia, Kenya, Madagascar, Malawi, Mozambique, Namibia, South Africa, the United Republic of Tanzania (subject to export quotas), Uganda, Zambia and Zimbabwe are listed on Appendix II to the Convention. Please see above listing of <i>Crocodylus niloticus</i> for all other populations.	1 Jul 75
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## Transfer from Appendix I to Appendix II – Flora

Taxon	Common name	Appendix	Notation	First listed
<i>Cattleya trianaei</i>		II		1 Jul 75
<i>Vanda coerulea</i>		II		1 Jul 75

## Transfer from Appendix II to Appendix I – Fauna

Taxon	Common name	Appendix	Notation	First listed
<i>Orcaella brevirostris</i>	Irrawaddy Dolphin	I		28 Jun 79
<i>Cacatua sulphurea</i>	Lesser Sulphur-crested Cockatoo, Yellow-crested Cockatoo	I	Please refer to Psittaciformes spp. listing for all other <i>Cacatua</i> species.	6 Jun 81
<i>Amazona finschi</i>	Lilac-crowned Amazon, Lilac-crowned Parrot	I	Please refer to Psittaciformes spp. listing for all other <i>Amazona</i> species.	6 Jun 81
<i>Pyxis arachnoides</i>	Malagasy Spider Tortoise	I	Please refer to <i>Pyxis</i> spp. listing for all other <i>Pyxis</i> species.	1 Jul 75

## Transfer from Appendix II to Appendix I – Flora

Taxon	Common name	Appendix	Notation	First listed
<i>Chrysalidocarpus decipiens</i>	Manambe Palm	I		4 Feb 77

## Replace the existing notations to the items below with the following notation

<i>Loxodonta africana</i>	African Elephant	II	Populations of Botswana, Namibia and South Africa only; for the exclusive purpose of allowing: 1) trade in hunting trophies for non-commercial purposes; 2) trade in live animals for <i>in situ</i> conservation programmes; 3) trade in hides; 4) trade in leather goods for non-commercial purposes for Botswana; for commercial or non-commercial purposes for Namibia and South Africa; 5) trade in hair for commercial and non-commercial purposes for Namibia; 6) trade in individually marked and certified ekipas incorporated in finished jewellery for non-commercial purposes for Namibia; and 7) trade in registered raw ivory (for Botswana and Namibia, whole tusks and pieces; for South Africa, whole tusks and cut pieces of ivory that are both 20 cm or more in length and one kilogramme or more in weight) subject to the following: I) only registered government-owned stocks, originating in the State (excluding seized ivory and ivory of unknown origin) and, in the case of South Africa, only ivory originating from the Kruger National Park); ii) only to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP12) concerning domestic manufacturing and trade; iii) not before the Secretariat has verified the prospective importing countries, and the MIKE programme has reported to the Secretariat on the baseline information (e.g. elephant population numbers, incidence of illegal killing); iv) a maximum of 20,000 kg (Botswana), 10,000 kg (Namibia) and 30,000 kg (South Africa) of ivory may be traded, and dispatched in a single shipment under strict supervision of the Secretariat; v) the proceeds of the trade are used exclusively for elephant conservation and community conservation and development programmes within or adjacent to the elephant range; vi) only after the Standing Committee has agreed that the above conditions have been met. On a proposal from the Secretariat, the Standing Committee can decide to cause this trade to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.	26 Feb 76
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Taxon	Common name	Appendix	Notation	First listed
<i>Ornithoptera</i> spp.	birdwing butterflies	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Ornithoptera</i> are listed under the Convention. See below for species and subspecies included in a different Appendix and/or with an earlier date of first listing.	16 Feb 79
<i>Trogonoptera</i> spp.	birdwing butterflies	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Trogonoptera</i> are listed under the Convention. See below for species and subspecies included in a different Appendix and/or with an earlier date of first listing.	16 Feb 79
<i>Troides</i> spp.	birdwing butterflies	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Troides</i> are listed under the Convention. See below for species and subspecies included in a different Appendix and/or with an earlier date of first listing.	16 Feb 79

<i>Euphorbia</i> spp.	Euphorbias	II	All succulent taxa in the genus are listed. This means that all species and subspecies with a scientific name starting with <i>Euphorbia</i> are listed under the Convention. Please see below for specifically annotated species, and species included in a different Appendix. Artificially propagated specimens of crested, fan-shaped or colour mutants of <i>Euphorbia lacteal</i> are not subject to the Convention when grafted on artificially propagated root stock of <i>Euphorbia nerifolia</i> . Artificially propagated specimens of cultivars of <i>Euphorbia</i> 'Mili' are not subject to the Convention when they are traded in shipments of 100 or more plants and readily recognizable as artificially propagated specimens.	1 Jul 75
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Orchidaceae spp.	Orchids	II	The entire family is listed. This means that all orchids are listed under the Convention. Please see below listings for species included in a different Appendix.  Unless otherwise stated, all orchids are subject to the general interpretations outlined in the Plantae listing above.  Excludes fruits and parts and derivatives thereof of artificially propagated plants of the genus <i>Vanilla</i> .  Artificially propagated specimens of hybrids of the genera <i>Cymbidium</i> , <i>Dendrobium</i> , <i>Phalaenopsis</i> and <i>Vanda</i> are not subject to the Convention when: 1) the specimens are traded in shipments consisting of individual containers (ie cartons, boxes or crates) each containing 20 or more plants of the same hybrid; 2) the plants within each container can be readily recognized as artificially propagated specimens by exhibiting a high degree of uniformity and healthiness; and 3) the shipments are accompanied by documentation, such as an	1 Jul 75
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		<p>invoice, which clearly states the number of plants of each hybrid.</p> <p>Artificially propagated specimens of the following hybrids:</p> <ul style="list-style-type: none"> <li>- <i>Cymbidium</i>: Interspecific hybrids within the genus and intergeneric hybrids</li> <li>- <i>Dendrobium</i>: Interspecific hybrids within the genus known in horticulture as “nobile-types” and “phalaenopsis-types”</li> <li>- <i>Phalaenopsis</i>: Interspecific hybrids within the genus and intergeneric hybrids</li> <li>- <i>Vanda</i>: Interspecific hybrids within the genus and intergeneric hybrids</li> </ul> <p>are not subject to the Convention when:</p> <ol style="list-style-type: none"> <li>1) they are traded in flowering state, i.e. with at least one open flower per specimen, with reflexed petals;</li> <li>2) they are professionally processed for retail sale, e.g. labeled with printed labels and packaged with printed packages;</li> <li>3) they are readily recognized as artificially propagated specimens by exhibiting a high degree of cleanliness, undamaged inflorescences, intact root systems and a general absence of damage or injury that could be attributable to plants originating in the wild;</li> <li>4) the plants do not exhibit characteristics of wild origin such as damage by insects or other animals, fungi or algae adhering to leaves, or mechanical damage to inflorescences, roots, leaves or other parts resulting from collection; and</li> <li>5) the labels or packages indicate the trade name of the specimen, the country of artificial propagation or, in the case of international trade during the production process, the country where the specimen was labeled and packaged; and the labels or packages show a photograph of the flower, or demonstrate by other means the appropriate use of labels and packages in an easily verifiable way.</li> </ol> <p>Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.</p>
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Taxon	Common name	Appendix	Notation	First listed
<i>Cistanche deserticola</i>	Desert Cistanche	II	Please refer to general interpretations outlined in the Plantae listing.	19 Jul 00

<i>Taxus chinensis</i>	Chinese Yew	II	<p>Listing includes all infraspecific taxa of this species and includes all parts and derivatives except:</p> <ol style="list-style-type: none"> <li>a) seeds and pollen; and</li> <li>b) finished pharmaceutical products.</li> </ol> <p>Whole artificially propagated plants in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text ‘artificially propagated’, are not subject to the Convention.</p>	12 Jan 05
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<b>Taxon</b>	<b>Common name</b>	<b>Appendix</b>	<b>Notation</b>	<b>First listed</b>
<i>Taxus cuspidata</i>	Japanese Yew	II	Listing includes all infraspecific taxa of this species and includes all parts and derivatives except: a) seeds and pollen; and b) finished pharmaceutical products. Whole artificially propagated plants in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the Convention.	12 Jan 05
<i>Taxus fuana</i>	chinese yew	II	Listing includes all infraspecific taxa of this species and includes all parts and derivatives except: a) seeds and pollen; and b) finished pharmaceutical products. Whole artificially propagated plants in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the Convention.	12 Jan 05
<i>Taxus sumatrana</i>	Sumatran Yew	II	Listing includes all infraspecific taxa of this species and includes all parts and derivatives except: a) seeds and pollen; and b) finished pharmaceutical products. Whole artificially propagated plants in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the Convention.	12 Jan 05
<i>Brachypelma</i> spp.	red-kneed tarantulas	II	The entire genus is listed. This means that all species and subspecies with a scientific name starting with <i>Brachypelma</i> are listed under the Convention. Please see below for species with an earlier date of first listing.	16 Feb 95